IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 24TH APRIL 2007 / 4TH VAISAKHA 1929

WP(C).No. 13656 of 2007(A)

PETITIONER:

ADMINISTRATOR,KOODALMANIKYAM DEVASWOM,
IRINJALAKUDA, THRISSUR DISTRICT.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
SRI.S.SUJIN

RESPONDENTS:

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1. THE DISTRICT COLLECTOR, THRISSUR.

2. THE DISTRICT SUPERINTENDENT OF POLICE,
THRISSUR.

3. THE WILD LIFE WARDEN,
DEPARTMENT OF FOREST, THIRUVANANTHAPURAM.

4. THE DIVISIONAL FOREST OFFICER,
CHALAKKUDY.

5. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETGARY, SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. R. SANDESH RAJ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.13656 of 2007

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Dated this the 24th day of April, 2007

J U D G M E N T

The petitioner is the Administrator of Koodalmanikyam temple. The annual festival of the temple is to be held from 29th April, to 9th May, 2007. The petitioner applied for permission to engage 17 elephants during the annual festival, by Ext.P3 request. Petitioner's grievance is that the same has neither been allowed nor rejected. The petitioner would contend that since the elephants would always be either in the east or the west *nadappura,* there is no danger of any of the elephants being exposed to Sun and therefore there would not be any undue discomfort to the elephants during the ceremonies. The petitioner, therefore, seeks a direction to grant permission to the petitioner to engage 17 elephants for the above said festival.

2. I have heard the learned counsel for the

petitioner as also the learned Government Pleader appearing for the respondents.

3. Although a learned Single Judge had earlier prohibited engagement of elephants for temple festivals between 11 a.m. to 3 p.m., a Division Bench of this court had stayed that direction. In the above circumstances, it is only proper that the 1st respondent considers the request of the petitioner in accordance with the direction of the Division Bench in the matter. Accordingly, I direct the such of the respondents who is competent to do so, to consider Ext.P3 and pass appropriate orders in accordance with the decision of the Division Bench in the matter, as expeditiously as possible, at any rate, before 29th April, 2007 when the temple festival is to start.

Writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

Issue copy today itself.

///True copy///

P.A. to Judge.